

ANDERSON KILL & OLICK, P.C.

**MEMO ENDORSED**

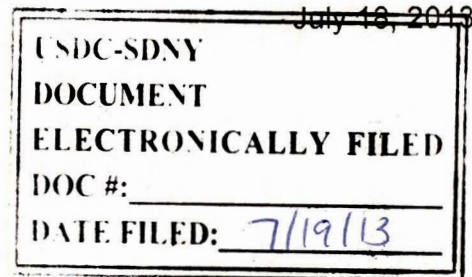
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By E-Mail

Hon. Ronnie Abrams  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 620  
New York, NY 10007  
Abrams\_NYSDChambers@nysd.uscourts.gov



Re: Overseas Private Investment Corporation v. Peter Eugene Gerwe -  
Docket No. 12-CV-5833

Dear Judge Abrams:

We represent Defendant, Peter Eugene Gerwe, in the above-referenced matter.

We are writing to request that the Court adjust the current briefing schedule for Plaintiff's Motion For Summary Judgment which was electronically filed on April 22, 2013. After Plaintiff's Motion was filed a briefing schedule was set by the Court during a telephone conference held on May 9, 2013, pursuant to which Defendant's Opposition Papers were to be due on June 28, 2013.

On June 18, 2013, the parties jointly requested an adjustment to the briefing schedule in view of ongoing mediation and settlement negotiations. Pursuant to that request, the Court set July 30, 2013 as the deadline for Defendant's Opposition Papers. In the interim, mediation has been terminated and the Plaintiff has elected to proceed with its motion.

Michael A. Lacher, Esq., Defendant's lead counsel in this matter, is unavailable over the next several weeks due to a medical emergency in his family. His sister has had severe spinal surgery and has been hospitalized for over a month. Her situation has taken a turn for the worse and Mr. Lacher must travel to Arizona, where she is hospitalized, to make urgent medical decisions.

Due to these unfortunate circumstances, Plaintiff and its counsel, Linda Taverni, Esq., have graciously consented to extend the deadline for Defendant's Opposition Papers to August 23, 2013.

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**Anderson Kill & Olick, P.C.**


Accordingly, we respectfully request that the current briefing schedule be amended as follows:

<b>Defendant's Opposition Papers:</b>	<b>Friday, August 23, 2013 (previously Tuesday, July 30, 2013)</b>
<b>Plaintiff's Reply Papers:</b>	<b>Tuesday September 24, 2013 (previously Tuesday, August 20, 2013)</b>
<b>Oral Argument:</b>	<b>A mutually convenient date to be scheduled by the Court</b>


Based on the foregoing, we respectfully request that Your Honor "So Order" this letter to confirm the Court's approval of the proposed briefing schedule requested herein.

Respectfully submitted,  
Anderson Kill & Olick, P.C.

By: \_\_\_\_\_

  
Adam J. Rader (AR-3530)

SO ORDERED:

  
\_\_\_\_\_  
Hon. Ronnie Abrams, U.S.D.J.

cc: Linda T. Taverni Esq. (Tavernis@hotmail.com)